

OFFICE OF THE CHAPTER 13 STANDING TRUSTEE

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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
(Camden)**

In Re:

CARL R. & DEBORAH WHISLER

Debtor(s).

Proceedings in Chapter 13

Case No. 19-25883 (JNP)

OBJECTION TO FORM 122C-2 AND PLAN

JANE L. MCDONALD, hereby certifies as follows:

1. I, Jane L. McDonald is Counsel for Isabel C. Balboa, the Chapter 13 Standing Trustee (the “Trustee”), am authorized to make this certification on behalf of the Trustee.
2. I am personally familiar with the matters set forth herein and I am qualified to testify about them.
3. This Court has exclusive jurisdiction over this matter pursuant to 28 U.S.C. § 157 and 11 U.S.C. § 105.
4. Debtors, Carl R. and Deborah L. Wshisler, filed for bankruptcy protection on August 16, 2019.
5. The Trustee objects to the incorrect completion of Form 122C-2.
6. Form 122C-2 as filed contains the following errors:
 - i. Line 9 – Housing and Utilities. Debtors included deduction for Malvern Federal Savings Bank in the amount of \$569.00. According to Debtors’ plan, Malvern

Federal Savings Bank is being avoided. Therefore, Debtors should not receive deduction.

7. Please note, these figures directly affect lines 10, 24, 33, 38, 42, 44 and 45.
8. Debtors' 122C-2, calculated disposable income of \$917.85.
9. Based on this error in Debtors' 122C-2, Debtors' corrected monthly disposable income under § 1325(b)(2) would be \$2,832.96 per month or \$169,977.60 over the life of the sixty (60) month plan.
10. Debtor has proposed to pay \$700.00 per month for sixty (60) months or \$42,000.00 over the life of the plan with payments for mortgage arrears to Select Portfolio of \$2,268.60 with a pro rata distribution from any remaining funds to the unsecured creditors which total \$163,471.00 pursuant to Debtor's Schedule F.
11. Debtor has proven sufficient income to pay a higher dividend to unsecured creditors.
12. I certify under penalty of perjury that the foregoing is true and correct.

Dated: 11/18/2019

Respectfully submitted,

/s/ Jane L. McDonald
Jane L. McDonald
Counsel